

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

GARBER BROTHERS, INC.

V.

CIVIL ACTION NO. 04-11459-RCL

JH TRADEMARK COMPANY, LLC

SETTLEMENT ORDER OF DISMISSAL

LINDSAY, D.J.

The Court having been advised by counsel for the parties that the above-entitled action has been settled;

IT IS HEREBY ORDERED that this action is hereby dismissed without costs and without prejudice to the right, upon good cause shown within thirty (30) days, to reopen the action if settlement is not consummated.

/s/ Lisa M. Hourihan

September 22, 2004

Deputy Clerk